

SETTLE MILL CASE

Employers Must Take Care of
Faithful Workers.Market Conditions Beyond Control
of Millers.

THEY DID NOT VIOLATE LAW

Production Was Not Curtailed
by Topeka Plants.Special Committee Is Appointed
by the Court.

Faithful and skilled workers must be taken care of by industrial plants which are forced to make retrenchments in meeting business conditions, according to a ruling of the court of industrial relations today in the Topeka mill case. The court held that market conditions are beyond the control of the millers and that so long as they did not violate the law, they were not to be held responsible for the shortage of flour.

All of the court judges joined in the opinion which was written by W. L. Higgins, presiding judge of the court. It declares that men of long service and records of fidelity to their employers must be taken care of in any readjustment of operation brought about by changing business conditions. The court did not find any evidence showing wanton curtailment of production. While the mills are operating at 60 per cent capacity—an average of 12 to 15 hours a day instead of 24 hours—there is no shortage of flour. To the contrary, millers are unable to market their present output, the court found.

Owes Much to Employers.

Judge Higgins in his opinion held that while capital might be declared to be a commodity, such a finding could not be made as to labor. In the matter of economic adjustments the court states that the employer owes to faithful employees of long service certain responsibilities which cannot be evaded.

Reports concerning continuity of operation and production of flour will be required by the court. This information will be given to the committee of three men named by the court. Future readjustments of working conditions brought about by market and other controlling matters, must be taken up with the special committee. If necessary they will be finally determined by the court itself.

The special committee is composed of C. V. Topping, secretary of the Kansas Millers' association; L. A. Fitz of the State Agricultural Experiment Station; and a representative for the industrial court.

BAKER FAVORS ANOTHER

Appointment of Militia Chief After Jan. 1—Gen. Martin Choate of Governors.

Washington, Dec. 21.—The chief of militia, the office for which Gen. Charles I. Martin, of Kansas, has been prominently mentioned, will not be named until after the first of the year, according to a statement today by President Wilson on Baker's recommendation, and Baker has given no indication he will give Martin the place, although the latter claims to have endorsement of two-thirds of the state governors.

In addition, Senator Curtis, Representative Anthony and other Kansans have been urging Martin.

Baker is said to favor an eastern man.

WHITE PAPER GOES UP

On Kansas City Star Along Increase in \$30,000 a Month.

Kansas City, Mo., Dec. 21.—While prices on nearly all commodities are going down the contract price of white paper, the kind the Star is printed on, is going up.

The price to the Star has been advanced, beginning January 1, from \$130 to \$132 a month. This price is for the first six months of 1921. Hereafter the price has been made for three months in advance.

The increase means an added cost for white paper to the Star of \$30,000 a month.

The State Journal's white paper expense in 1921 will be about \$40,000 more than in 1920.

Governors Bet

On the Sales of Christmas Seals

Interest in four states centers in the competition in Christmas seal sales and the Healthy New Year drive by the campaign is national in its scope, rivalry springing up last year among the states of Oklahoma, Arkansas, Texas and Kansas in the fight for sale records.

Last year the governors of the four states waged a battle on the result. It was a red hot contest. But in the end Oklahoma came out on top. Governor Allen of Oklahoma gave the losing governors a chance to get even. In fact he gave them an opportunity to close the year ahead. He sent each of the 1919 losers telegrams suggesting that they should bet on the state contests this year.

Last year I bet you a silk dicer that Oklahoma would sell more Christmas seals than did your state. The same bet was made with governors of Texas and Arkansas. I won. This year I feel the need of a new flock coat and propose that the governor of the losing state buy a flock coat for the three governors of the other states. Are you in?

The four-state contest is attracting wide attention in other states. In Kansas there is a chance to win for Governor Allen three new flock coats—any of them fitting for inaugural day.

The Weather

Snow tonight, Wednesday fair. Cold tonight with cold wave. Temperatures from zero to ten degrees above zero in the western portion; about ten degrees below zero in the eastern portion. Cold wave in the extreme east portion. Strong northwest wind tonight, diminishing Wednesday.

COLD WAVE TODAY

Temperatures of Zero to Ten
Above Due Tonight.

Snow Due in Topeka, Accompanied by Cold Weather.

TODAY'S TEMPERATURES.

7 o'clock.....42	11 o'clock.....47
8 o'clock.....42	12 o'clock.....48
9 o'clock.....42	1 o'clock.....48
10 o'clock.....46	2 o'clock.....49

The shippers' forecast advises the protection of thirty-six hour shipments to the north and west against temperatures of 5 degrees to the east, 12 degrees to the south, 20 degrees. Late this afternoon there will be a sudden and severe drop in the temperature, to well below freezing. There is snow over the western portion of the state and extending to the Canadian line, this morning, and the wind is sweeping the snow toward the eastern portion of the state. Snow is reported at Colby, Dodge City, and other western points this morning. Telegraph wires to Goodland, an important observation point, are down, but it is believed that it is undoubtedly snowing there with a temperature of not more than 15 degrees today.

Low temperatures are in the northwest this morning, from 2 degrees above zero to 15 degrees below zero in Montana, Wyoming, the Dakotas and Canada. The temperature in western Nebraska was 12 degrees above zero, and in Denver, Colo., 10 degrees above zero, with snow in the air.

The snow and cold will reach Topeka tonight and the prospects indicate.

(Continued on Page Two.)

WILSON'S APPOINTMENTS ARE

Held Up in Senate.

Only Senator Nungit for Federal Trade Board Approved.

Washington, Dec. 21.—Efforts by Democratic senators to follow up confirmation of Senator Nungit as member of the federal trade commission with other confirmations of Wilson's cabinet have been summarily blocked, it was disclosed today.

After Nungit was confirmed in record time because of "senatorial courtesy," Senator Fletcher, Republican, introduced a resolution to consent to an executive session so that the hundreds of other nominations now pending might be referred to committees to be reported on.

We are not ready for an executive session, Senator Fletcher, Republican, whiplashed, informed Fletcher.

This was taken to mean that the Republicans will decline to approve Wilson's appointments, leaving to Harding the filling of just that many more vacant places.

Another senator defeated in the recent elections probably will be named to a government position by President Wilson today, it was learned. The senator is Mark Smith of Arizona, who is slated to go on the international boundary commission.

TAX PENALTY ON TODAY

Five Per Cent Loss to Persons Who Have Been Tardy.

A 5 per cent penalty on the entire amount of the year's taxes, the first half of which was not paid by Monday, became effective today, according to T. B. Boyd, county treasurer. The penalty figures were not available, Boyd estimated that between 60 and 65 per cent of the year's taxes were paid Monday.

The taxes for the last half of 1920 will be due in June, 1921, but if the first half was not paid by Monday, December 20, a 5 per cent penalty will be tacked on to the entire amount. The reason for this was explained by the fact that the county has many debts and the penalty would be paid promptly the county must issue warrants which carry 6 per cent interest. This means an increased expense to the county, which must in turn be paid by the taxpayers.

COUNCIL WANTS COMMISSION

Salina City Government Asks Public to Ask for Change.

Salina, Kan., Dec. 21.—The Salina city council, which is the councilman for the city, has asked the public to ask for a change in the form of government in the best method of the city.

The council also asserted that if the citizens of Salina would present a resolution calling a special election to vote on the commission-manager form, it would respect it.

So that such a petition could be presented, the council has decided to next Tuesday night, at which time it is expected a petition will be presented.

MRS. HAMON IS BEATEN.

Wife of slain G. O. P. Chief in Oklahoma Loses Husband's Job.

Oklahoma City, Dec. 21.—Republican State Chairman James A. Harris today had the recommendation of the state central committee for national committee to succeed the late Jake L. Hamon.

Recommendation came on first ballot. Harris getting 49 votes to 27 for Mrs. Jake Hamon. Harris announced he would resign as state chairman as soon as the national committee approved his nomination to that body.

WILSON USES VETO

Emergency Tariff Legislation
Before Congress Doomed.White House Also Will Block
War Finance Revival.

MUCH OPPOSITION ROUSED

Business Men Declare Fordney
Bill Means Higher Prices.Both Parties Are Against Any
Hastened Legislation.

Washington, Dec. 21.—The resolution reviving the war finance corporation is to be sent to the White House today. It was finally passed by congress yesterday when the senate agreed to house amendments.

The general impression is that President Wilson will veto the measure on advice of Secretary of the Treasury Houston, who opposed it.

Advocates of emergency tariff legislation won a preliminary fight in the house today by adopting, 206 to 76, a motion to suspend calendar business tomorrow so as to give the Fordney tariff bill right of way.

Wilson Sure to Veto.

Emergency tariff legislation at this session of congress seemed doomed to day unless Republican leaders of the house and senate can discover a way out of the tangle into which to pass an embargo tariff bill as a relief measure for farmers has led them.

The bill will come to debate Wednesday, as the Fordney bill is expected to be passed by the house and senate.

Much Opposition Roused.

Congressional opponents of the bill declare it would leave farmers and manufacturers free to charge as much as they could get because there would be no foreign competition in their commodities. The bill has also created a great clamor among manufacturers whose goods are not included.

The disposition of senate members to reduce rather than increase the number of items in the bill and there is not the slightest probability that, if it passes, it will include a third of the commodities mentioned in it.

Senate Takes Recess.

The senate today was in recess, having adjourned last night until Thursday. With all immediate pressing business, the senate will resume passage of the measure involving the war finance corporation, the senate planned another three-day adjournment until Monday.

A similar recess over New Year's also is planned although there will be no suspension of committee activities.

COOLIDGE CANNOT BE HERE

Vice President-Elect Unable to Attend
Kansas Day Banquet.

Governor Calvin Coolidge of Massachusetts cannot come to Kansas for a speech before the Kansas day club. He has sent a telegram to J. N. Dolley, a speaker for the Kansas day banquet, public committee, stating that he will not accept speaking dates outside his home state during the next two weeks.

Officers of the Republican banquet met in Topeka Monday afternoon to arrange a program. The program is to be a dinner, a speech by Governor Coolidge, and a performance by the Kansas day club. The program is to be a dinner, a speech by Governor Coolidge, and a performance by the Kansas day club.

Mrs. Ida M. Walker of Norton, representative-elect from Norton county, will be the speaker at the banquet. A place on the club's speaking program is accorded a Kansas woman, but there is no word yet as to whether she will be able to do so.

Selection of these speakers has not been determined.

DEFIES DECREE OF ROME

Gabriele d'Annunzio Will Fight Carrying
Out Raphaelo Treaty Terms.

Rome, Dec. 21.—Gabriele d'Annunzio, until tonight to disband his legionnaires and release his warships. The ultimatum from the Italian government gave him the last day to comply with the demand. In his reply he declared he would maintain his position by force.

Following notification of the ratification of the Raphaelo treaty between Italy and Jugoslavia, General Cavaglia, commander of Italian forces in the Adriatic region, sent the ultimatum to d'Annunzio, declaring that Italy no longer could continue the negotiations with dignity owing to d'Annunzio's position.

Cavaglia also demanded evacuation of the islands of Arbe and Viglia.

STATE BANK CALL DEC. 18

Last Statement of 1921 Requested by
Bank Commissioner Wilson.

Walter E. Wilson, state bank commissioner, today issued a call for a statement of Kansas state banks at the close of business Saturday, December 18. It is the final call for the year.

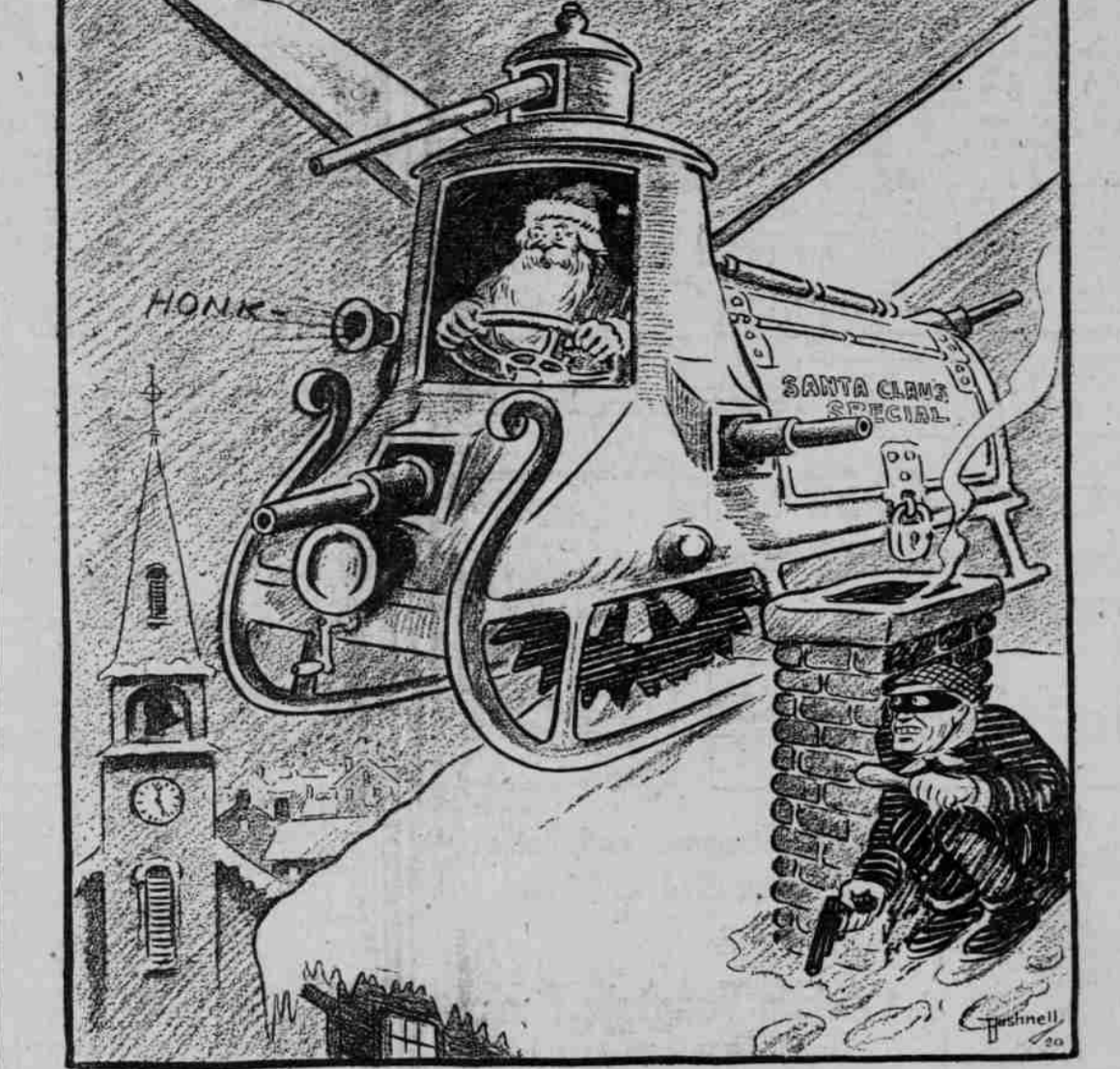
The new statement will be of genuine interest in banking circles among investors. It will reflect conditions in the state at this time and indicate clearly the manner in which the banks have met their obligations.

Publishers Sentenced to Prison.

New York, Dec. 28.—Dr. Edward A. Rumely, former publisher of the New York Evening Mail, and S. Walter Kaufman, and Norvin Lindheim, were sentenced to prison terms of one year and one day each in federal court here today on conviction for conspiring to withhold from the government knowledge of the alleged German ownership of the newspaper during the war.

Owing to the Numerous Hold-ups and Robberies, the Cartoonist Suggests a Combination

Armored Flying Motor Sleigh for Santa Claus.



FOR A NEW JAIL

Movement Started for Improvement
of Local Prison.Follows Cleanup Campaign by
Police Department.

The first murmurings of what promises to be a strong movement for a new city jail in Topeka are being heard.

The filthy condition of the local prison has been exposed more than ever since the police started the campaign to round up dope fiends and undesirable elements. Conditions are such as to bring a blush of shame and humiliation to any decent citizen who pays a visit to the institution mentioned in it.

A Look Into Past.

Men and women of education and a certain refinement, picked up for mere investigation, under suspicion, but not guilty of a crime, are thrown into the same cells with drunks, dope fiends and riff-raff of Topeka's river district. To look into the "bull pen" at the police station is to look into the darkness of the past, where the dungeon was the favored place of confinement and the rope's end the instrument of execution.

Chief G. G. Hannan today admitted that conditions are deplorable, but he said he had no authority to do anything about it. Both the men's and women's departments are now crowded with prisoners, both white and black, locked in the same cell, sleeping in the same beds. In all the jail there is not a mattress, or a piece of bedding fit for a decent man or woman to sleep upon.

Chief Ashamed of Jail.

"I am ashamed of it," Chief Hannan admitted. "I don't want to blame prisoners for criticizing me for putting them into such a hell-hole. But what am I to do about it? The jail is too small. It is too old. It is not properly arranged. Personally, I think exile to Siberia would be preferable to sending a night in that bull pen, but there is no Siberia at hand to relieve us."

In the event that a man of decency and refinement is arrested and put in prison, he is not given a decent cell. He is not given a decent bed. He is not given a decent meal. He is not given a decent shower. He is not given a decent toilet. He is not given a decent anything.

Today there is a young girl, alleged to be somewhat simple-minded, but nevertheless deserving of some consideration, who is being held in the women's quarters together with several negro women, picked up for being drunk and disorderly, or for using dope.

A few nights ago one of the men prisoners in the bull pen suffered a broken blood vessel and nearly bled to death before a physician could be found.

"That's where we need a hospital in connection with the jail," said Chief Hannan.

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THREE KILLED DURING STORM

Eldorado Oil Men Die When Auto Is
Blown Off Bridge.

Tulsa, Okla., Dec. 21.—Reports received here this afternoon are to the effect that D. W. Shaffer, Tulsa, general superintendent of the Pure Oil company, C. C. Blue of Eldorado, Kan., superintendent Kansas division of the same company, and Charles Alvero, drilling contractor, were killed near Eldorado last night when an automobile in which they were riding ran off a high bridge.

A heavy rain and winstorm was in progress, the report says.

VIEWS AND INTERVIEWS

Pertinent Question and Answers
Given and Gathered Today by
State Journal Reporters.

TODAY'S QUESTION.

What radical change do you expect with the incoming Republican administration?

THE ANSWERS.

J. G. FLEISHMAN, Jr., Mulvane building, Topeka, who has been in the city for some time, said he expected no radical change in the administration. He said he expected a change in the personnel, but not in the policy.

ALBERT DICKENS, professor of horticulture, Kansas State Agricultural College, Manhattan, Kan.—"I think that the effect will be to steady the boat, and not rock it. Harding doesn't claim to be a superman, and the cabinet which he seems to be picking out is of course, at least, we all hope so."

JAMES E. McFARLAND, 200 Topeka Ave.—"I don't believe the tax laws have changed in this country. This country has always gone through changes in the personnel of administration and their changes."

D. W. MULVANE, Republican National Committee.—"An economic business administration. That is the most drastic and important change possible. It is the thing that the people want and need. The economic situation in this country."

SAMUEL T. HOWE, Chairman State Tax Commission.—"I think the most important and radical change in the administration will be to the farmers. They are drastic in that they are not satisfied with the present administration and they are not satisfied with the present administration."

J. H. LEE, banker and President Kansas Day Club.—"I believe the tax laws have changed in this country. This country has always gone through changes in the personnel of administration and their changes."

C. J. KNOWLTON, city auditor.—"I do not think there will be any radical changes in the administration. I think that Harding is too level-headed to do things impulsively. But I know we will appreciate a good business administration after democratic adversity."

JACK WILSON, theatrical manager.—"I hope the Republicans take the war tax off theater tickets."

BANKER NOW HELD

Middelkauff of Vesper Inter-
ested in Broker Institution.Warrant Charges He Gave Il-
legal Security for Note.

Salina, Kan., Dec. 21.—W. B. Middelkauff, banker of Vesper, Kan., who was also financially interested in the defunct Kansas State bank of Salina, was arrested today on a state warrant, charging him with obtaining \$17,000, on February 10, 1919, on false representations. The warrant was secured by Brown-Cummer investment company of Wichita.

In the petition, the company alleges that it purchased a \$25,000 note signed by Middelkauff and others for \$17,000. That Middelkauff scheduled his assets at \$203,309 and his liabilities at \$52,090, net worth at \$251,000. Subsequent events proved that the real estate was in trust for his wife, and could not be given as an asset. The note was given February 10, 1919, and payable August 10, 1919. The note has since gone into judgment. Middelkauff furnished bonds of \$3,000 for his appearance on February 3.

MEET HERE TODAY

Horticultural Society Discusses
Co-operative Marketing.Legislative Enactments Talked
Over at Conference.

Co-operative marketing plans may be worked out at the annual meeting of the State Horticultural society, which convened here today. Sessions of the organization are being held in the state house and many of the most widely known Kansas fruit growers are attending the meetings. Plans for legislative enactments to reduce marketing problems will be discussed during the three-day gathering.

Under the present marketing arrangements for apples and other fruit the producer in many instances does not receive a remunerative price, according to G. F. Whitney, secretary of the society.

"It is to shorten the distance between producer and consumer, eliminating needless middlemen, that the society is making a study of the situation in this state and will recommend an organization similar to that of the citrus growers of California," said Whitney. "Under the plan arrangements would be made for grading the fruit and putting it under a standard label of the marketing association."

An attempt, partially successful, has been made to organize the apple growers of Atchison, Leavenworth and Doniphan counties. The horticultural society would make an organization state-wide for all fruit growers.

The principal addresses relating to co-operative marketing will be given at the Wednesday morning session by James C. Jones of Leavenworth, secretary of the Fruit and Truck Growers' association; Charles R. Weeks, secretary of the Kansas State Farm Bureau, Manhattan; and F. H. Dillenback, Troy, county agricultural agent.

One of the headlines on the program is D. E. Lewis of Kansas City, Mo., who operates orchards in Kansas, Missouri, Nebraska, Arkansas and Iowa. His subject is "Will the New Orchard Pay?"

Among others on the program are Dudley Doolittle, Strong City, Kan., federal prohibition enforcement officer for Kansas; Prof. George A. Dean, Manhattan; Prof. S. J. Hunter, Lawrence; Prof. L. E. Melchers, Manhattan; J. M. Butler, Kansas City, Kan.; A. L. Brooke, Grantville; A. F. Baker, Baldwin; E. G. Kelly, Manhattan; J. M. Orner, Oakland; G. W. Holinger, Rosedale; Charles J. Traxler, Minneapolis; Minn. William Freymuth, Tonganoxie; Bert N. Johnson, Argentine; W. G. Anderson, Topeka; R. J. Barnes, Manhattan; and Mrs. James Sharpe, Council Grove.

The society has set aside \$100 for awards on exhibition of fruits and vegetables. The exhibition is not competitive and awards will be made on showings of merit. The annual election of officers and half of the board of trustees will take place at the morning session Wednesday.

Today's Honor Roll.

The Topeka girls comprising today's honor roll in behalf of the sale of Christmas seals for the Topeka Tuberculosis association under the direction of Mrs. E. K. Kellam, sales director, follow:

Miss Anne Weichtman.
Miss Dorothy Higgins.
Miss Betty Bonbrake.
Miss Josephine Gilmore.
Miss Charlotte West.
Miss Helen Leepa.
Miss Isabel Whitcomb.
Miss Mary Rodgers.
Miss Elizabeth Hand.

Men are sold at the large downtown stores and at the postoffice.

FIND CLARA SMITH BURN IRISH TOWN

Parents Declare Much Sought
Woman Is in Mexico.Plans to Spend Christmas With
Them in United States.

SHERIFF LEAVES ARDMORE

Is Accompanied by Attorney Re-
tained by Defense.Hutchinson Man Claims He Saw
Her in Juarez.

El Paso, Dec. 21.—Mrs. J. L. Smith, mother of Clara Smith, wanted in Ardmore, Okla., on a charge of murder in connection with the fatal shooting of Jake Hamon, said today that she knew where her daughter was that she had heard from her and that Clara would spend Christmas in the United States with her family.

"We have heard from Clara at last," said Mrs. Smith, "and she is coming to El Paso and then on to Fort Worth and get ready for her trial. She will be with us Christmas, for we are expecting her in a day or two. She is somewhere in Mexico. I don't know just where, but she is in Mexico all right and her brother is with her."

Mr. Smith said he had wired Buck Garrett, sheriff at Ardmore, and asked him to come to El Paso. He said he sent the wire Monday night and got no reply and that again today he wired him and insisted that he come to El Paso.

Ardmore Sheriff en Route.

Ardmore, Dec. 21.—Sheriff Buck Garrett, of Carter county, accompanied by Charles A. Coakley, member of the law firm of Coakley & Mathers, left Ardmore early today for an unknown point in Texas, presumably near El Paso, it was learned here today. It is believed here that the trip is connected with the search for Clara Hamon Smith, sought in connection with the death of the late Jake L. Hamon.

A veil of secrecy was thrown about the departure of the two men, which was known only to a few persons in Ardmore. The firm of Coakley & Mathers has been retained as counsel for Miss Smith, who is charged with murder in connection with the death of Mr. Hamon.

She Wants to Surrender.

Miss Smith has notified the sheriff and the local grand jury, for as a counsel, that she desires to surrender, Mr. Mathers said. He added that the two men would reach El Paso late tomorrow.

Mr. Mathers also announced that a group of forty of the most prominent citizens of Ardmore had given him their firm support to be used in defending Miss Smith when she comes to trial.

Seen in Juarez by Kansan.

Hutchinson, Kan., Dec. 21.—H. T. Graves, a local grain broker, who has just returned from Juarez, today said he saw Mrs. Clara Smith Hamon, sought in connection with the death of Jake L. Hamon, in a restaurant in that Mexican city.

"A friend pointed her out to me," said Graves. "I examined her picture in a newspaper later and am positive that the woman I saw was Clara Smith Hamon."

GASOLINE ON TOBACCO TOO

Kansas City Filling Stations Cut Price
Half Cent—No Cut in Topeka.

Kansas City, Mo., Dec. 21.—Standard Oil Company today reduced the price of gasoline one-half cent to 27 cents. Tank wagons price at the same time was cut 1 1/2 cents to 25 cents.

"We have received no information at this time of any drop in price," it was said at the local Standard Oil company office. "If there has been a drop of half a cent we would hear about it a day later. We may get the notice Wednesday morning."

The price of gasoline at the filling stations today is 28 1/2 cents per gallon, in Topeka.

RECOMMIT PENALTY LAW

House Sends Act Deferring Tax
Penalty Back to Committee.

Washington, Dec. 21.—The house today means committee voted today to recommit for redrafting the Edmonds bill proposing to defer the date when penalties become effective for failure to pay federal taxes.

Representative Green, Republican, Iowa, explained that as the bill was reported to the house it would defer penalties on all uncollected taxes of this and previous years although it was intended to apply only to taxes on this year's incomes and profits.

Representative Garner, Democrat, of Texas, said this instance should warn the committee not to "report out its innocent looking little resolutions without giving them the same consideration as those which appear important."

MAKE CONCESSION TO GERMANS.

Allied Financiers Believe All Will Be
Smoothed Over by Xmas.

Brussels, Dec. 21.—Progress made since the beginning of the second financial conference has encouraged allied delegates to believe that when the conference adjourns on Thursday for Christmas, minor differences between them and the Germans will have disappeared.

It was believed here today that by that time the allied delegates will have a fair estimate of what concessions it will be necessary to make Germany strong enough to pay reparations.

BRITISH TROOPS TAKE REPRISALS

for Attack on Police.

Home Rule Bill Only Needs
King George's Signature.

SINN FEIN ARE TRAPPED

Set Ambush for Troops and In-
Turn Are Ambushed.Biggest Battle of Year Is Fought
Near Dublin.